



SARVAJANIK
UNIVERSITY

INCLUSIVE | INTEGRATED | INNOVATIVE

PROFESSIONAL ELECTIVE COURSES SEMESTER - II



SARVAJANIK EDUCATION SOCIETY
SARVAJANIK COLLEGE OF LAW
(CONSTITUENT COLLEGE OF SARVAJANIK UNIVERSITY)

SARVAJANIK UNIVERSITY				
Program		LL.B.		
Semester		2		
Subject		Gender Justice and Feminist Jurisprudence		
Course Type		Professional Elective Course		
Course Code		BLLB12201	Total Credit	2
Teaching Hours		Examination Marking Scheme		
Theory (Hrs)	Practical /Lib./Lab./Tut. (Hrs)	Internal/ CCE (Marks)	External/ SEE (Marks)	Total
2	-	25	25	50

Object: This course aims at questioning the understanding that law is universal, protects everybody equally and is accessible to all equally. It uses gender, particularly in relation to women to show discrimination perpetuated and legislative response.

Course Outcome

At the end of the course, the student will be able to:

CO1: Apply analytical skills and knowledge to critically analyse functioning of legal provisions relating to crimes against women.

CO2: Critically examine statutes and judgments through feminist lens

CO3: Understand the ground realities of women's lives and the role of law in addressing the same as well as the women's access to justice.

Syllabus

Module 01. Crimes against Women

1.1 Introduction

1.2 Domestic Violence

1.3 Dowry harassment

1.4 Sexual offences – Rape, Outraging modesty of woman, kidnapping.

1.5 Sexual harassment of women at workplace

1.6 Other offences – Female infanticide and female feticide, Sati, prostitution, indecent representation of women, pornography

Module 02. Constitutional Provisions and Policy

2.1 Preamble – Equality of Status and Opportunity

2.2 Fundamental Rights and guarantees Articles 14, 15, 16, 21, 22, 24, 39, 39A

Module 03. Empowerment of women

3.1 Concept and Method

3.2 Human Rights – under domestic and international law

3.3 National Commission for Women – formation and functions

3.4 Uniform Civil Code, Gender Justice and Discriminatory provisions in Family Laws

3.5 Reservation for women

- 3.5.1 In local self-government bodies
- 3.5.2 In legislature – Proposed Amendment and Debates
- 3.6 Women and Employment
 - 3.6.1 Laws to protect women and her labour
 - 3.6.2 Maternity Benefit Act, Factories Act, Equal Remuneration Act.
- 3.7 Matrimonial Property

Module 04. Feminist Jurisprudence

- 4.1 Meaning of Feminism
- 4.2 Origins of feminist Jurisprudence
- 4.3 Dealing with the Basic Issues of Feminist Jurisprudence
- 4.4 Feminist Methodology
- 4.4 Schools of Feminist Jurisprudence
- 4.5 The School of Socialist Feminism
- 4.6 Criticism of Feminist Jurisprudence

Suggested Readings:

- Anwar Yaquin & Badar Anwal: Protection of Women under the Law
- M.J. Antony : Women's Rights
- S.R. Myneni: Jurisprudence (Legal Theory), Asia Law House
- Mamta Rao: Law relating to Women and Children, Eastern Book Company
- Hingorani (ed).: Gandhi on Women

SARVAJANIK UNIVERSITY				
Program		LL.B.		
Semester		2		
Subject		Banking Laws		
Course Type		Professional Elective Course		
Course Code		BLLB12202	Total Credit	2
Teaching Hours		Examination Marking Scheme		
Theory (Hrs)	Practical /Lib./Lab./Tut. (Hrs)	Internal/ CCE (Marks)	External/ SEE (Marks)	Total
2	-	25	25	50

Object: The object of this paper is to give the students an overview of the kinds of banks, their functions, and relationship with customers and the banking frauds. Students will also explore the law relating to recovery of debts due to banks recovery of debts.

Course Outcome

At the end of the course, students will be able to:

CO1: Understand the conceptual and legal parameters including the judicial interpretation of banking law.

CO2: Understand the new emerging dimension in banking systems.

CO3: Understand the Reserve Bank of India and its role in Banking.

Syllabus

Module 01. Banking System in India

- 1.1 Kinds of Banks and their Functions
- 1.2 History of Banking in India
- 1.3 Bank Nationalization and Social Control over Banking
- 1.4 Relationship between Banker and Customer
- 1.5 Legal Character
- 1.6 Contract between Banker and Customer
- 1.7 Bank's Duty to Customers
- 1.8 Liability under the Consumer Protection Act, 1986

Module 02. The Reserve Bank of India Act, 1934

- 2.1 Object, Application and Definitions
- 2.2 Incorporation, Capital, Management and Business
- 2.3 Central Banking Functions
- 2.4 Collection and Furnishing of Credit Information
- 2.5 Provisions Relating to Non-Banking Institutions Receiving Deposits And
- 2.6 Financial Institutions
- 2.7 Prohibition of Acceptance of Deposits by Unincorporated Bodies
- 2.8 General Provisions
- 2.9 Penalties

Module 03. The Banking Regulation Act, 1949

- 3.1 Object, Application and Definitions
- 3.2 Business of Banking Companies
- 3.3 Control over Management
- 3.4 Prohibition of Certain Activities in Relation to Banking Companies
- 3.5 Acquisition of the Undertakings of Banking Companies in Certain Cases
- 3.6 Suspension of Business and Winding up of Banking Companies
- 3.7 Special Provisions for Speedy Disposal of Winding up Proceedings
- 3.8 Provisions Relating to Certain Operations of Banking Companies
- 3.9 Application of the Act to Co-Operative Banks

Module 04. Banking Ombudsman Scheme

- 4.1 Preliminary
- 4.2 Establishment of Office of Banking Ombudsman
- 4.3 Jurisdiction, Power, and duties of Banking Ombudsman
- 4.4 Procedure for redressal of grievance
- 4.5 Miscellaneous

Suggested Readings

- SETH'S Banking Laws [commentaries on Banking Regulation Act as amended by SARFESI Act 2002 and BRA, amendment act 2007] K.C. Shekhar.
- Banking Theory and Practice (1998) UBS Publisher Distributors Ltd., New Delhi.
- Basu, A. Review of Current Banking Theory and Practice (1998) Mac Millan

SARVAJANIK UNIVERSITY				
Program		LL.B.		
Semester		2		
Subject		Moot Skills and Training		
Course Type		Professional Elective Course		
Course Code		BLLB12203	Total Credit	2
Teaching Hours		Examination Marking Scheme		
Theory (Hrs)	Practical /Lib./Lab./Tut. (Hrs)	Internal/ CCE (Marks)	External/ SEE (Marks)	Total
2	-	25	25	50

Object: This course of Moot Skills and Training exercise is designed to hone advocacy skills in the students. Moot Courts are simulation exercises geared up to endow students with facility in preparation of written submissions and planning, organising and marshalling arguments in the given time so as to convince the presiding officer.

Course Outcome

At the end of the course, students will be able to:

CO1: Represent the college at various state and national moot competitions.

CO2: Prepare memorials for the competition by extensive research.

CO3: Understand, identify and analyse collected data for research.

Syllabus

Module 01. Moot Exercise: What and Why

1.1 Historical Development of Moot Court

1.2 Meaning – Clinical legal education – simulate proceedings – difference between moot court and mock trial

1.3 Legal education as justice education – law students as 'frontier persons' of legal education – student becomes 'counsel' and classroom becomes 'court'

1.4 New jurisprudence – socially relevant and just

1.5 Development of range of skills – drafting, research, interviewing, negotiation, advocacy, communication, legal analysis.

1.6 'Anticipative lawyering' – simulation of court proceeding – anticipatory arguments of legal issues in hypothetical case – to organize "new breed of public interest lawyers"

1.7 Progressive lawyering – 'hard' and 'soft' cases

1.8 Three Terrains of Processes – reading process – writing process – argumentative process.

1.9 Educative potentials of moot learning – referring law, case law, digests and journals – sensitization – adversarial system of justice and non-adversarial system of justice.

Module 02. Preparation Protocols

2.1 Meaning – oral advocacy – difference between written memorial and written

pleading or argument

2.2 Problem and its analysis

2.3 Legal research – relevant law and case law – primary sources and secondary sources

2.4 Identification of the Issues

2.5 Interpretation of facts and application of law

Module 03. Oral Advocacy

3.1 In the court room

3.2 Speech and body language – do's and don'ts

3.3 Court manners and etiquette – forms of addressing the court

3.4 Skills of oral presentation – vocabulary, expertise, appropriate expressions

3.5 Answering Court queries – respect and decorum

Module 04. Written Memorials

4.1 requisites – grammar, syntax, style – rational thinking, legal perception of problem, knowledge of the current trends of legal interpretation.

4.2 Language – marshalling evidence – preparation of both sides of the case – clarity

4.3 Contents of Written Memorial A written memorial should ordinarily contain the following

4.3.1 The Cause Title – status of moot court – nature, number and year of case – legal provision – names of parties – party represented

4.3.2 Tables of Contents – scheme of written memorial at a glance – lists, issues, detailed arguments, prayer etc.

4.3.3 List of Abbreviations

4.3.4 Index of Authorities

4.3.5 Statement of Jurisdiction

4.3.6 Chronological Order of Facts

4.3.7 Brief Statement of Facts

4.3.8 Issues raised

4.3.9 Summary of Arguments

4.3.10 Arguments advanced in detail

4.3.11 Prayer – remedy sought

4.3.12 Use of italics – definitions – citations – lucid style, simple expression and syntax

Module 05. Mooting Skills: Benefits

5.1 Role and duties of judge in mooting – transmitter of ideas and values – conscientious instructions – interactions with student counsel to moderate, improvise etc.

5.2 Learning to 'Swim' by actual 'getting into water'

5.3 Approach to law and case law and other sources

5.4 confidence building and development of personal skills – personal participation

5.5 Research of legal issues and of facts – constant process – stamina and

intellectual activity

5.6 Lessons in professional ethics – duties towards court, client, fellow counsel

5.7 Learning to be fair, candid and courteous – manners and etiquette

5.8 Formality of Dress Code

5.9 Learning use of legal language and legal terms

Suggested Readings

- Dr. Kailash Rai: Moot Court Pre-Trial Preparation and Participation in Trial Proceedings, Central Law Publication.
- Amita Danda: Moot Court for Interactive Legal Education, Gogia Law Agency, Hyderabad.
- Blackstone's: Books of Moots, Oxford University Press
- Mishra: Moot Court Pre-Trial Preparation and Participation in Trial Proceedings, Central Law, Allahabad.
- Hugh Rayne, Nigel Duncan and Richard Grimes: Clinical Legal Education – Active Learning in Your Law School, Blackstone Press Ltd; Aldine Place; London.
- NALSAR LAW University: Moot Court for Interactive Legal Education. Hyderabad